

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
AMERICAN E GROUP LLC,

Plaintiff,

-against-

LIVEWIRE ERGOGENICS INC.,

Defendants.
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/29/2020

18 CIVIL 3969 (GHW)

JUDGMENT

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated January 28, 2020, Livewire's motion to dismiss is GRANTED because the Note is unenforceable and AEG is not entitled to equitable relief. The Court denies AEG leave to replead because any attempt to replead the claims asserted in the SAC would be futile. See *Advanced Magnetics, Inc. v. Bayfront Partners, Inc.*, 106 F.3d 11, 18 (2d Cir. 1997) (noting that leave to amend need not be granted where the proposed amendment would be futile). Accordingly, all claims in the SAC are dismissed with prejudice.

Dated: New York, New York
January 29, 2020

RUBY J. KRAJICK

Clerk of Court

BY:

K. Manago
Deputy Clerk